

## **EXHIBIT 3**

**[PROPOSED] ORDER GRANTING TRUSTEE'S  
MOTION IN LIMINE NUMBER 3 TO EXCLUDE  
DEPOSITION TESTIMONY OF AARON BLECKER**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**[PROPOSED] ORDER GRANTING TRUSTEE'S MOTION *IN LIMINE*  
NUMBER 3 TO EXCLUDE DEPOSITION TESTIMONY OF AARON BLECKER**

Upon consideration of the Trustee's Motion *in Limine* Number 3 to Exclude Deposition Testimony of Aaron Blecker (the "Motion") dated October 28, 2016, ECF No. \_\_\_\_\_, filed by Irving H. Picard, as trustee ("Trustee") for the liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the substantively consolidated estate of Bernard L. Madoff ("Madoff"); the Declaration of David J. Sheehan in Support of Trustee Motions *in Limine* Numbers 1–4 dated October 28, 2016, ECF No. \_\_\_\_; and it appearing that due and proper notice of the Motion and the relief requested therein having been given, and no other further notice needing to be given; and a hearing having been held on the Motion on \_\_\_\_\_ (the "Hearing"); and this Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having reviewed the Motion, responsive pleadings, the arguments of counsel at the Hearing and

the record in this case; and for the reasons set forth in the transcript of the Hearing on the Motion, **IT IS HEREBY:**

**ORDERED**, that the relief requested in the Motion is granted to the extent set forth herein; and it is further

**ORDERED** that the deposition testimony of Aaron Blecker offered in lieu of live testimony shall be excluded at the evidentiary hearing on the Trustee's Motion for an Order Affirming Treatment of Profit Withdrawal Transactions (ECF No. 10660); **or, in the alternative it is**

**ORDERED** that Aaron Blecker be made available for a deposition *de bene esse* prior to the evidentiary hearing on the Trustee's Motion for an Order Affirming Treatment of Profit Withdrawal Transactions (ECF No. 10660); and it is further

**ORDERED**, that the Court retains jurisdiction to enforce and implement the terms and provisions of this Order.

Dated: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
**HONORABLE STUART M. BERNSTEIN**  
**United States Bankruptcy Judge**